

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 1/24/2022
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MT. HAWLEY INSURANCE COMPANY,	:	
	:	
Plaintiff,	:	
-against-	:	
	:	21-CV-6473 (VEC)
	:	
AEGEAN LAND HOLDINGS, LLC,	:	<u>ORDER</u>
	:	
Defendant.	:	
-----X		

VALERIE CAPRONI, United States District Judge:

WHEREAS on December 27, 2021, Mt. Hawley Insurance Company (“Mt. Hawley”) filed a partial motion to dismiss Aegan Land Holdings, LLC’s (“Aegan”) counterclaims, Dkt. 30;

WHEREAS pursuant to Rule 4(E) of the undersigned’s Individual Practices in Civil Cases and Rule 15(a)(1)(B) of the Federal Rules of Civil Procedure, the non-moving party may amend its pleading instead of responding in opposition to the motion and if the non-moving party elects to do so, the previously filed motion to dismiss will be denied as moot; and

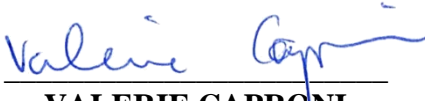
WHEREAS in lieu of responding in opposition to the motion, Aegan filed amended counterclaims, Dkt. 33;

IT IS HEREBY ORDERED that Mt. Hawley’s partial motion to dismiss is DENIED as moot.

The Clerk of Court is respectfully directed to close the open motion at docket entry 30.

SO ORDERED.

Date: January 24, 2022
New York, New York


VALERIE CAPRONI
United States District Judge